

HENRY RADIO, INC.

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Since 1927

Comments of Henry Radio Inc. on WT Docket 99-87

FCC MAIL ROOM

(1) The FB6 PMRS Private Carrier category of license below 512 MHz should be properly categorized as "internal use". The spectrum occupied by these stations should be totally exempt from auctions. Existing licensees should be guaranteed renewability of their licenses and the ability to move their transmitter sites to other locations within their mobile operating area to meet changing needs.

(a) Both ends of a typical 2 way radio message on a PMRS FB6 system are usually between employees of the same company, school, private ambulance service, municipal water department etc. The system is not available for use by the general public, nor is it interconnected with the public switched telephone network. It may only be used by those entities that are eligible for their own FCC license in the Business/Industrial Radio Services, many of whom are eligible in categories which the FCC already proposes to exempt from auctions. Typically the system only covers a small geographic area and does not provide the ability to engage in "roaming" over a large or nationwide area. The usage involves customer owned equipment on both ends of the message. The fact that the signal is often relayed through a repeater station is transparent to the user. When the users operate in the "talk-around" mode the repeater station is not used at all.

(b) Most PMRS FB6 stations are operated by very small business. The system operators typically do not have the financial ability to bid against the large corporations that traditionally participate in spectrum auctions. The usual scenario is: a radio dealer will construct a system for use by his customers that purchase their radios from that dealer. In some areas the dealers are able to construct multi-channel, multi site centralized trunked systems and give their small customers better coverage than the customers could afford if they had to construct their own repeater stations. The customers all operate under the same FCC license issued to the radio dealer. This is a spectrally efficient approach to meeting the needs of those customers and eliminating unnecessary duplication of paperwork by the licensing branch of the FCC. If the FCC makes it financially impossible for very small business to continue to use or operate PMRS FB6 repeater stations, it will foster monopolistic anti-competitive practices by large operators such as NEXTEL. The FB6 PMRS system gives users a reasonable choice. The FCC must not unreasonably limit that choice, especially when the FCC's stated policy is to create more options for communications users in the "INFORMATION AGE".

(c) Many PMRS FB6 systems make no extra charge for "air-time". If a trunked system operator is able to charge his customers a low price and still earn a fair return on his investment it benefits the public interest because it is spectrum efficient and it minimizes the number of unsightly towers that would otherwise dot the landscape. Furthermore, if spectrally inefficient customer owned single user repeaters were the only way to qualify for "internal use" it would only serve to enrich the repeater and tower manufacturers. The FCC should not discourage innovative advances in the "state of the art" and regressively force users to employ obsolete technology as the only low cost alternative to spectrum auctions.

Respectfully submitted,

Ted S Henry
Ted S. Henry, President

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